

**The Honorable S. Kate Vaughan**

**IN THE UNITED STATES DISTRICT COURT**

**WESTERN DISTRICT OF WASHINGTON**

**AT SEATTLE**

**SMARTSHEET, INC.,**

**Plaintiff,**

**v.**

**FEDERAL INSURANCE COMPANY;  
FREEDOM SPECIALTY INSURANCE  
COMPANY; ARGONAUT INSURANCE  
COMPANY; NORTH AMERICAN  
SPECIALTY INSURANCE COMPANY; OLD  
REPUBLIC INSURANCE COMPANY;  
HUDSON INSURANCE COMPANY;  
ALLIED WORLD NATIONAL ASSURANCE  
COMPANY; AND BERKLEY INSURANCE  
COMPANY**

**Defendants.**

**Case No. 2:22-cv-00314-SKV**

**STIPULATION OF DISMISSAL  
WITHOUT PREJUDICE PURSUANT TO  
FED. R. CIV. P. 41(a) AS BETWEEN  
PLAINTIFF SMARTSHEET INC. AND  
DEFENDANT ALLIED WORLD  
NATIONAL ASSURANCE COMPANY**

**STIPULATION OF DISMISSAL WITHOUT  
PREJUDICE**

**Case No.: 2:22-cv-00314-SKV - 1**

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Defendant, Allied World National Assurance Company (“Allied World”), by and through its undersigned attorneys of record in the above-referenced proceeding, Kennedys CMK LLP and Selman Breitman LLP, hereby submits the following Stipulation of Dismissal Without Prejudice, signed by all parties<sup>1</sup>, pursuant to the terms and conditions stated below in accordance with Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure:

**IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:**

1. All causes of action asserted in this matter by Plaintiff Smartsheet, Inc. (“Smartsheet”) against Allied World are hereby DISMISSED WITHOUT PREJUDICE.
2. Smartsheet and Allied World each shall bear their own costs and attorneys’ fees with respect to this matter.

**SO AGREED:**

DATED this 14<sup>th</sup> day of October, 2022.

By: /s/ Michael Fandel (signed by Daniel C. Heath with permission)  
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*Attorneys for Defendant Allied World National Assurance Company*

<sup>1</sup> Defendant Federal Insurance Company was previously dismissed from this action by Stipulation and Order entered on October 3, 2022 [ECF No. 75].

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3 By: /s/ Gregory S. Worden (signed by Daniel C. Heath with permission) By: /s/ Joseph D. Hampton (signed by Daniel C. Heath with permission)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 14, 2022, I electronically filed the foregoing  
STIPULATION OF DISMISSAL WITHOUT PREJUDICE PURSUANT TO FED. R. CIV. P.  
41(a) AS BETWEEN PLAINTIFF SMARTSHEET INC. AND DEFENDANT ALLIED  
WORLD NATIONAL ASSURANCE COMPANY with the Clerk of the Court using the  
CM/ECF system, which will send notification of the filing to all counsel of record who receive  
CM/ECF notification.

DATED this 14<sup>th</sup> day of October, 2022.

/s/ Emily Rose

Emily Rose  
erose@selmanlaw.com